UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
V.)	JUDGMENT
)	No. 5:07-HC-2214-FL-JG
CLARKE COLEMAN SHAW,)	
Defendant.)	

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration after the court held a bench trial.

IT IS ORDERED, ADJUDGED AND DECREED that the court denies respondent's motion for summary judgment and finds that the United States has failed to prove by clear and convincing evidence that, as a result of Respondent Shaw's serious mental illness, abnormality, or disorder, he would have serious difficulty in refraining from sexually violent conduct or child molestation if released. Thus, judgment is entered in favor of the respondent, Clarke Coleman Shaw, and against the petitioner, the United States. This action is hereby dismissed. The United States is ordered to release the respondent from the custody of the Bureau of Prisons.

This Judgment Filed and Entered on April 24, 2012, with service on:

Edward D. Gray, G. Norman Acker, III, Michael D. Bredenberg, Michael E. Lockridge, R.A. Renfer, Jr., James Braxton Craven, III, and William W. Webb, Sr. (via CM/ECF Notice of Electronic Filing)

Record Center, FCI Butner Medium, P.O. Box 1000, Butner, NC 27509 (via U.S. Mail)

April 24, 2012

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk